

**BOARD OF PODIATRIC MEDICAL EXAMINERS**

**OPEN SESSION MEETING**

**MINUTES**

**April 12, 2018**

**Room 110**

**The Public Session Meeting commenced at 1:03 PM, opened by Board President, Dr. Zachary Chatter.**

**Board members attending were Drs. Cohen, Friedman, Gottlieb and Umezurike. Consumer members present were Frona Kroopnick and Sharon Bunch.**

**Board staff present: Eva Schwartz, Executive Director, Rhonda Edwards, AAG, Board Counsel, Elizabeth Kohlhepp, Licensing Coordinator, and Danielle Vallone, Board Investigator.**

**Representing MDH: Carlton Curry, Executive Director, Lillian Reese, Legislation, and Sharon Bloom, DOH.**

**Representing MPMA: Stacia Jones, DPM.**

**Guests Present: Dr. Jay LeBow.**

**COMAR 10.01.14.02.B:**

**Except in instances when a public body expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, a member of the public attending an open session may not participate in the session.**

**A. MINUTES:**

**1. Approval of minutes from the March 8, 2018 meeting**

The minutes from the March 8, 2018 meeting were approved unanimously, as submitted.

**B. OLD BUSINESS:**

**1. Proposed Regulations defining what is required to prove 5 years of Practice for a Full License  
COMAR 10.40.01.01**

The Board previously voted to propose a new regulation requiring an affidavit during the licensing process to prove five years of active practice immediately preceding the application for licensure. This personal affidavit would be acceptable in lieu of the residency program affidavit, if the applicant chooses to apply via this route. The proposed regulation has been approved by MDH, has moved through the Governor's Regulatory Review Office for approval, and was submitted to AELR. The proposed regulation was printed on March 30, 2018 in the Maryland Register for a comment period ending on April 30, 2018.

**2. Proposed Regulation addressing Active podiatric practice- COMAR 10.40.08.02**

The Board previously voted to propose a regulation to define active practice to be interpreted as requirement of an average 400 working hours of practicing podiatry per year, for five consecutive years. The proposed regulation has been approved by MDH, has moved through the Governor's Regulatory Review Office for approval, and was submitted to AELR. The proposed regulation was printed on March 30, 2018 in the Maryland Register for a comment period ending on April 30, 2018.

### **3. Proposed Amendment to COMAR 10.40.06.03- Advertising Regulation**

The Board previously voted on a proposed amendment to COMAR 10.40.06- Advertising concerning the identification of a podiatrist as such, or as a foot and ankle specialist, or foot and ankle surgeon in advertisements or any media platforms. The proposed regulation has been removed from moratorium, moved through the Governor's Regulatory Review Office for approval, and was submitted to AELR. The proposed regulation will be printed on April 13, 2018 in the Maryland Register for a comment period ending on May 14, 2018.

### **4. HB1452/SB 1223 – Controlled Dangerous Substances Registration-Authorized Providers-Continuing Education**

The Board received a copy of HB 1452/SB 1223- Controlled Dangerous Substances Registration-Authorized Providers- Continuing Education. The Bill proposes that all CDS permit holders or those applying for a new/initial permit, will be mandated to complete 2 CME credits for each permit renewal, specific to prescribing and or dispensing scheduled drugs. The bill also indicates that failure to do so can lead to ineligibility for renewal of the CDS permit/registration by the Office of Controlled Substance Administration. The bill has not been signed into law at this time of reporting. Further discussion about the bill will be addressed at the next Board meeting.

### **5. HB 1430- Podiatric Physicians- Report on Status**

The Board discussed HB 1430-Podiatric Physicians. The Bill never moved to the House or Senate.

### **6. HB- 88/SB 1083- Public Health-Prescription Drug Monitoring Program- Revisions**

The Board received a copy of HB-88/SB 1083-Public Health-Prescription Drug Monitoring Program-Revisions. The Bill is currently still before both the Senate and the House.

### **7. SB- 110- State Board of Medical Examiners- Licensure-Qualifications and Examinations – Report on Status**

The Board was made aware that SB-110-State Board of Medical Examiners- Licensure-Qualifications and Education has passed both the House and the Senate.

### **8. HB- 1597-Occupational Licenses or Certificates- Application Determinations-Use of Criminal History**

The Board was given a copy of HB-1597-Occupational Licenses or Certificates- Application Determinations- Use of Criminal History. The Governor requested that all Boards report on how many times a license has been denied in the past five years based on the applicant's criminal record.

### **9. SB 522-Health Care Providers – Opioid Prescriptions- Advice Regarding Benefits and Risks**

The Board received a copy of SB 522-Health Care Providers – Opioid Prescriptions- Advice Regarding Benefits and Risks for informational purposes.

### **C. NEW BUSINESS:**

#### **1. SB 230- Disclosure of Medical Records- Compulsory Process- Timeline**

The Board received a copy of SB 230- Disclosure of Medical Records- Compulsory Process- Timeline for informational purposes.

#### **2. NTSB SAFETY RECOMMENDATIONS I-14-001 AND -002(57738)**

The Board received a copy of NTSB SAFETY RECOMMENDATIONS I-14-001 AND -002(57738) for informational purposes.

#### **3. COMAR 10.13.03.01--.04 Guidelines for Co-Prescribing Opioid Overdose Reversal Drugs (BEHAVIORAL HEALTH)**

The Board received a copy of COMAR 10.13.03.01--.04 Guidelines for Co-Prescribing Opioid Overdose Reversal Drugs (BEHAVIORAL HEALTH) for informational purposes.

#### **4. Discussion about information required on a Podiatric Residency Affidavit**

The Board reviewed the current residency affidavit included with podiatric license applications. It was decided to change the residency affidavit to include more detailed information about a resident's time within the program. The old residency affidavit included two options for a residency director to choose from including:

-is currently attending and has now successfully completed \_\_\_\_\_ years of postgraduate clinical training in the program listed above. OR

-has successfully completed postgraduate clinical training in the program listed above.

The new residency affidavit will include three options for a residency director to choose from including:

-is currently attending and has now successfully completed \_\_\_\_\_ years of postgraduate clinical training in the program listed above with the expected graduation date of \_\_\_\_\_.

-has successfully completed three years of postgraduate clinical training in the program listed above on \_\_\_\_\_.

-has only completed \_\_\_\_\_ years before leaving the program on \_\_\_\_\_ due to \_\_\_\_\_.

The Board approved the changes made to the affidavit.

#### **5. Discussion about Reference Letter Requirement**

The Board discussed the current requirement of including two reference letters when applying for a full Maryland license. The Board decided to keep the current requirement the same.

#### **6. Proposed fee for Approval of CME's requested by Sponsors**

The Board discussed the possibility of charging a fee for all CME requests for approval received from program Sponsors. The Board will take time to consider the topic.

**7. NPDB: Is it Reportable?**

The Board received a copy of NPDB: Is it Reportable? for informational purposes.

**8. Letter from MDH- Describing Opioids**

The Board received a copy of Letter from MDH- Describing Opioids for informational purposes.

**9. Review for eligibility for FULL License:**

**a. Jacqueline Chen, DPM**

**b. Adam Grahn, DPM**

**c. Lion Sassoon, DPM**

**d. Michael Gerrity, DPM**

The above identified licensure candidates were approved unanimously for the issuance of a full Maryland License.

**With no further business, the Board meeting concluded at 2:11 PM.**

**Respectfully submitted,**

**Yvonne Umezurike, Secretary/Treasurer**